

# James W. Crosby M.S., PhD

1435 Oak Haven Rd. \* Jacksonville, Florida 32207 \* 904-476-7655 \*  
[canineaggression@gmail.com](mailto:canineaggression@gmail.com)

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To whom it may concern:

During 2017 I was privileged to attend and speak at the yearly conference for the Australian Institute for Animal Management in Melbourne. During that time I became acquainted with the animal welfare and control system in Australia, and wound up spending time on-site with the Australian Capital Territory Division of Anima Services. I also, at the invitation of the DAS and the Australian Federal Police, responded to a human dog bite related fatality in the ACT.

After that I was the chair of the committee that conducted the independent review of the ACT Dangerous Dog process at the behest of DAS. Thus, I have become informed about and a participant in the efforts in Australia to address the problem of Dangerous Dogs.

I will soon be on-site again in Australia, this time in Queensland, for the AIAM/AMRIC conference as a speaker. I have been asked by these organizations to contribute thoughts and suggestions into this report with an eye to more participation whilst I am there.

My overall experience, expanded in the attached curriculum vitae, is as an expert in dog bites and attacks, canine aggression, and particularly those encounters wherein a human is killed by a domestic dog. This comes from many years as a police officer (Lieutenant, retired, Jacksonville Sheriff's Office, Jacksonville, FL, USA) combined with both a Masters degree in Veterinary Forensics and a PhD in Veterinary Medical Science, both from the College of Veterinary Medicine at the University of Florida. Both degrees are focused on aggression and attacks by dogs from both the behavioural and the investigative sides.

I would like to add the following personal and professional suggestions to the Review of the Animal Management Act of 2008 as requested by AIAM.

## MANAGEMENT OF OFFENSES BY DOG OWNERS.

In my research, I have noted that most dog bites to humans occur after warning signals and unaddressed problem behaviour shown by the dog. This often, especially in more serious incidents, gave local authority and/or owners adequate warning that the involved dog(s) were a potential threat that could have been the subject of positive and progressive intervention before ultimately resulting in the serious incident.

My suggestion, based on my research and experience as the chief officer of two US animal control agencies, is a proactive and escalating system of enforcement. Dangerous Dogs are rarely a single, explosive incident. Enforcement of warning incidents, which often consist of lower-level anti-social behaviour violations, can indicate and allow early intervention. These are, in my opinion, best addressed as quantifiable and time-based.

For instance: a dog that regularly charges at people but never bites because it is restrained is a problem. Reporting of such a problem dog is at times limited by personal relationships with owners and reluctance to participate in a full Dangerous Dog investigation that may result in the destruction of the dog. However, with

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a progressive system the public can be educated that a complaint may not be a death sentence but can instead lead to retraining and proper integration of the dog and owner into responsible society.

A series of complaints would have progressive intervention and punishment. According to the desires of the community, a series of perhaps three incidents over six months could accumulate to Dangerous Dog designation with stops along the way. First offense reported could result in counseling of the owner, an examination of the dog-owner relationship, and inspection for proper management along with recommended remedial training.

A second incident would precipitate a substantial fine, mandatory training at an acceptable level by a certified professional covering control and public behaviour, and mandatory microchipping of the dog with suitable cautions added as needed. Then, a third incident within the time frame decided upon would result in the application of an even more significant fine or consequence and the simple declaration of the dog as Dangerous, even though the individual incidents may not singly meet the statutory definition for a one-time incident such as serious injury.

In cases wherein training is suggestion or mandated, the training would include both the owners and the dog(s). The owners would have to be trained, either after a second incident or as part of the Dangerous Dog process, on specific topics from welfare, management, health, use of tools such as muzzles and leads, etc. would be part of the training – and to get their dog returned the owner(s) would have to prove competency in the use of the tools and in the proper methods of managing their dog. The dog would also have to be trained, at the owners' expense, to meet required performance levels regarding public and private conduct. A certification of the dog, such as a Good Citizen certification, would be a mandatory part of the second and third level process, and strongly recommended even at the first level. Through this progressive process both owner and dog would be held to standards. If either fail to achieve the goals then the dog and owner could be separated, the owner sanctioned, and the dog either disposed of or relocated if safe and available. A ban on owners possessing animals after losing a dog for noncompliance would also be an important part of the judicial process.

In the case of a bite incident the time could be adjusted, and the severity of the bite objectively calculated and then applied again on a sliding scale. Perhaps a series of two minor (Level 3) bites during a two-year period would engage the second step as suggested above. Three minor bites over say three years would result in progressive action despite not rising individually to the level required for a single serious incident, but collectively showing both dog and owner problems. A more serious bite (Level 4 or 5) would engage the normal Dangerous Dog process immediately.

## EDUCATION OF OWNERS

Currently anyone can own a dog. Veterinarians, advocates, and animal services officers can suggest training, but there is none mandated. I would suggest that, after a grace period appropriate to the community, registration and licensing of a dog would require completion of certain basic educational milestones. A brief one-session basic course on dog behavior, welfare, and management would be an excellent goal for all owners. Compliance is always difficult in licensing and especially in educational circles, but instead of focusing on punishment one could, as was done in Canada (specifically Calgary, Alberta), provide *benefits for owners of licensed dogs* rather than just threatening fines.

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In Calgary the successful program consisted of several parts. First, licensing was mandatory with significant fines for non-licensed dogs. This covered all dogs that were intact – but a significant discount on licensing was provided for desexed dogs. The base fee for all was very high – but one could earn the lower rate by being a responsible owner. Voluntary completion of the dog-owners’ course could also provide a further discount or be made mandatory for issuance of a license. Purebred dogs would be licensed at a different (lower) level so long as they were actively competing in a venue that required they be kept intact, such as dog conformation shows, but that status would have to be reviewed and renewed regularly.

Owners of licensed dogs would not just avoid punishment and, if the dog is desexed, get a discount. Instead, they would also get benefits. Perhaps partnering with businesses for discounted food and materials, or discounts from their Veterinarians would be a start. One of the benefits that Calgary offered was that if a person’s dog got loose and the dog was taken into custody the dog would be transported home for free, with the animal services Officer assisting the owner in examining how the dog got loose and giving advice on how to contain the dog if it was the first, or even second time. Progressive punishment would then accrue if the dog was a constant or recurring nuisance.

Another program that Calgary offered was for medical support in an emergency. If a licensed dog was accidentally loose and was injured, perhaps from a car crash, animal services would respond and the animal would be taken for Veterinary care. The care would be provided at a significant discount or for free as a benefit of licensing. Such few cases that did occur in Calgary were funded by the nearly 97% compliance by the residents in licensing their dogs and the proceeds of the very heavy fines for transgressors. This covered care was provided regardless of income of the owner, and according to the information I was given by the now-retired Director most often resulted in the owner voluntarily paying for the care anyway. In a city of over one million residents, they only had to cover a very few cases yearly.

## DOG BITE INCIDENT INVESTIGATION AND REPORTING

Dog bites get wide news coverage, especially when they are severe. Public safety is dependent, among other things, on reducing the likelihood of being bitten by a dog. As flashy as stories about dog bites are, it is my experience here in the US that we have a pitifully inadequate accounting of the actual number of bites. We also lack accurate profiles of exactly who is bitten, how seriously, and under what circumstances.

The ‘common wisdom’ regarding fatal dog attacks on humans was that they were somehow occurring most often in poorer or challenged neighborhoods; that they were most often children; that a particular type of dog was nearly always responsible; and that dogs “just snapped” causing great injury or death. My PhD research covering over 500 dog bite related fatalities, however, provided a different picture.

For instance, the median fatal dog attack victim here is not a child in a challenged area. Instead, the victim is an adult female, on her own property, attacked by her own dog, in an area with a gross household income of over \$100,00.00 US. This is, honestly, much like the victim of the attack I responded to in the ACT back in 2017 – an adult woman killed by her own dog that redirected from a stranger and killed her.

These factors cannot, however, be adequately analyzed for cause or correlation without solid investigation and objective, complete reporting. Incidents, at least those that result in significant injury, must be reported

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and analyzed to find out what the facts are. Who is bitten? How badly? Under what exact circumstances? By how many dogs of what age and sex? Is there a commonality between biting dogs and their training, environment, welfare conditions or biological source or origins?

To address this overarching question two central conditions must be met to achieve the goal of public safety and to reduce bite incidents. First, the information must be gathered by a competent and complete investigation. Far more than “the dog bit me”, animal services officers must be trained to ask a full range of questions that dig more deeply. The actions of the dog during and before the incident; the actions of the humans both immediately before the incident and in the past; surrounding circumstances and environment; the overall and specific welfare state of the animal(s); all of these and more are valuable keys to unlocking the overall problem of dog bite incidents. Complete investigations by trained officers will allow the gathering of details that can be amassed into the second part of this investigative proposal: a central database of reported dog bite injuries beyond the minimal information that insurance and hospital claims can produce.

Here in the US there is not such a database. I am working with a major university to set up such a resource so that we can then analyze the facts and propose public safety policies that will help. We also aim to better understand bites in general, alleged “aggressive” behaviour, and the factors that contribute to these problems. We also intend on using the information to educate and inform owners and others about risk factors and help design legislation that is more than another exercise in futility.

I believe that the opportunity exists to set an investigation program and data gathering process into motion in first Queensland and then potentially the entirety of Australia. There will be costs. Animal Services Rangers will need some additional training, mainly in what information is needed, but that knowledge is likely already present within the ranks of these professionals. Law Enforcement will also need some training. The questioning, however, is nothing that both Rangers and Officers don’t already know how to do, and a single, central template can be easily produced for dissemination. Health care providers, specifically emergency department personnel, can be easily familiarized with the template and privacy of medical information can be protected with a central system – protected information can simply be excluded or grouped to anonymize the data across the database.

But the costs will be reasonable compared to the current costs of dog bite health care. A 2021 study centered in Queensland<sup>1</sup> refers to the projected yearly cost of dog bite health care in Australia to be AUD \$7,000,000.00, with an estimated 100,000 bites per year. To be able to reduce this cost with reasonable training and data gathering could save not only a large amount of funds but reduce the personal and emotional costs of dog bites.

Although there have been relatively few fatal dog attacks in Australia, these incidents serve as warnings regarding how serious this problem can become, and the existence of these cases illustrates the fact that current procedures and policy are inadequate. There is not a central database of even these major cases where common threads can be followed. The unknown factors across these fatalities

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<sup>1</sup> Peki, Alexander; Rynhoud, Hester; Brennan, Bradley; and Soares-Magalhães, Ricardo J., (2020) “Dog Bite Emergency department presentations in Brisbane metro south: Epidemiology and exploratory medical geography for targeted interventions.” *One Health (Amsterdam Netherlands)*, 12, 100204

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Attached to this report are publications addressing investigations and processes that I have written and submit for additional input.

Please consider this submission in support of the efforts of the AIAM and other cooperating organizations as they seek to review and improve the Animal Management Act. I am more than willing to provide additional input and assistance as I may.

Sincerely,

Dr. James W. Crosby M.S., PhD, CBCC-KA, CDBC  
Canine Aggression Consulting LLC  
Jacksonville, FL  
+1-904-476-7655